

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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SCHUMBERGER WATER SERVICES
USA, INC., a Delaware corporation,

Plaintiff,

v.

ALTA DRILLING INTERNATIONAL LLC,

Defendants.

Case No. 3:13-cv-00414-MMD-VPC

ORDER

Before the Court is Plaintiff's Motion for Default Judgment. (Dkt. no. 16.) Plaintiff's Motion is deficient and will be denied with leave to re-file. Plaintiff's Motion satisfies the procedural requirements for obtaining default under Federal Rule of Civil Procedure 55(a). However, the Motion does not address the relevant legal standard governing the award of default judgment, including the factors essential to the Court's exercise of its discretion in determining whether to grant default judgment. See *Eitel v. McCool*, 782 F.2d 1470, 1471-72 (9th Cir. 1986). Plaintiff summarizes the allegations in its Complaint, but Plaintiff does not apply the facts of this case to the *Eitel* standard. Moreover, Plaintiff fails to offer any support for some of its requested remedies, including the request for attorneys' fees in the event Defendant unsuccessfully appeals the default judgment.

It is therefore ordered that Plaintiff's Motion for Default Judgment (dkt. no. 16) is denied without prejudice.

DATED THIS 23rd day of January 2014.


MIRANDA M. DU
UNITED STATES DISTRICT JUDGE